

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1080 be amended to read as follows:

- 1           Page 3, between lines 33 and 34, begin a new paragraph and insert:  
2           "SECTION 2. IC 6-2.5-4-12 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person is a  
4           retail merchant making a retail transaction when ~~he~~ **the person** sells  
5           tangible personal property at auction.  
6           (b) Notwithstanding subsection (a), a person is not a retail merchant  
7           making a retail transaction when **selling tangible personal property**  
8           **at auction if the owner of the tangible personal property:**  
9           (1) ~~he~~ makes **only** isolated or occasional sales of tangible personal  
10           property at auction; **and**  
11           (2) ~~the sales occur on the premises of the owner of the tangible~~  
12           **personal property; and**  
13           (3) ~~(2) the owner of the tangible personal property~~ did not  
14           originally acquire that property for resale."  
15           ReNUMBER all SECTIONS consecutively.  
              (Reference is to HB 1080 as printed February 3, 2009.)

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Representative Lehe